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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

MAXIMILIAN KLEIN, et al., on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

META PLATFORMS, INC., a Delaware  
Corporation,

Defendant.

Case No. 3:20-cv-08570-JD

**DECLARATION OF MOLLY M.  
JENNINGS IN SUPPORT OF META  
PLATFORMS, INC.'S OPPOSITION TO  
ADVERTISER PLAINTIFFS' MOTION  
FOR CLASS CERTIFICATION**

Judge: Hon. James Donato

1 I, Molly M. Jennings, declare as follows:

2 1. I am a partner at the law firm Wilmer Cutler Pickering Hale and Dorr LLP. I  
3 represent Defendant Meta Platforms, Inc. in the above-captioned action. I submit this  
4 declaration in support of Meta's Opposition to Advertiser Plaintiffs' Motion for Class  
5 Certification.

6 2. Attached hereto as Exhibit 1 is a true and correct copy of excerpts from the  
7 transcript of the deposition of Scott Fasser, held on September 7, 2023.

8 3. Attached hereto as Exhibit 2 is a true and correct copy of excerpts from  
9 Advertiser Plaintiffs' Corrected First Supplemental Response and Objections to Defendant Meta  
10 Platform, Inc.'s Interrogatory No. 11 to Advertiser Plaintiffs, dated April 23, 2023.

11 4. Attached hereto as Exhibit 3 is a true and correct copy of the Expert Report of  
12 Kevin Kreitzman, dated July 7, 2023.

13 5. Attached hereto as Exhibit 4 is a true and correct copy of the Expert Report of  
14 Michael A. Williams, dated July 7, 2023.

15 6. Attached hereto as Exhibit 5 is a true and correct copy of the Expert Report of  
16 Scott Fasser, dated July 7, 2023.

17 7. Attached hereto as Exhibit 6 is a true and correct copy of the Expert Reply Report  
18 of Michael A. Williams, dated September 15, 2023.

19 8. Attached hereto as Exhibit 7 is a true and correct copy of the Expert Report of  
20 Joshua S. Gans, dated July 7, 2023.

21 9. Attached hereto as Exhibit 8 is a true and correct copy of excerpts from the  
22 transcript of the deposition of Joshua Gans, held on September 26, 2023.

23 10. Attached hereto as Exhibit 9 is a true and correct copy of excerpts from the  
24 transcript of the deposition of Michael A. Williams, held on September 26, 2023.

25 11. Attached hereto as Exhibit 10 is a true and correct copy of the Advertiser Class  
26 Rebuttal Report of Catherine Tucker, dated August 4, 2023.

27 12. Attached hereto as Exhibit 11 is a true and correct copy of the Executive  
28 Summary of the Advertiser Class Rebuttal Report of Catherine Tucker, dated August 4, 2023.

1           13. Attached hereto as Exhibit 12 is a true and correct copy of a document produced  
2 in this matter bearing Bates number SNAP – FTC – No. 191-0134 – 0000051023 and marked  
3 Gans Deposition Exhibit 23.

4           14. Attached hereto as Exhibit 13 is a true and correct copy of the article *Instagram*  
5 *Stories Ads – Now Available for All Businesses Globally*, dated March 1, 2017, and available at  
6 <https://business.instagram.com/blog/instagram-stories-available-globally>.

7           15. Attached hereto as Exhibit 14 is a true and correct copy of excerpts from the  
8 transcript of the deposition of Henry Crum, held on May 25, 2023.

9           16. Attached hereto as Exhibit 15 is a true and correct copy of an article by Susan  
10 Athey & Joshua Gans, titled *The Impact of Targeting Technology on Advertising Markets and*  
11 *Media Competition*, and published in American Economic Review in 2010.

12           17. Attached hereto as Exhibit 16 is a true and correct copy of the Reply Report of  
13 Joshua S. Gans, dated September 1, 2023.

14           18. Attached hereto as Exhibit 17 is a true and correct copy of the webpage *About*  
15 *custom audiences* from the Meta Business Help Center, available at <https://www.facebook.com/business/help/744354708981227>.  
16

17           19. Attached hereto as Exhibit 18 is a true and correct copy of the webpage *Create a*  
18 *customer list custom audience* from the Meta Business Help Center, available at  
19 <https://www.facebook.com/business/help/170456843145568?id=2469097953376494>.

20           20. Attached hereto as Exhibit 19 is a true and correct copy of excerpts from the  
21 transcript of the deposition of Kevin Kreitzman, held on October 2, 2023.

22           21. Attached hereto as Exhibit 20 is a true and correct copy of excerpts from the  
23 transcript of the deposition of Mark Geoffrey Young, held on February 13, 2023.

24           22. Attached hereto as Exhibit 21 is a true and correct copy of excerpts from  
25 Advertiser Plaintiffs' Second Amended Rule 26(a)(1)(A) Initial Disclosures, dated June 16,  
26 2022.  
27  
28



**SIGNATURE ATTESTATION**

This document is being filed through the Electronic Case Filing (ECF) system by attorney Sonal N. Mehta. By her signature, Ms. Mehta attests that she has obtained concurrence in the filing of this document from each of the attorneys identified on the caption page and in the above signature block.

By: /s/ Sonal N. Mehta  
Sonal N. Mehta